

REMARKS

Claims 10, 12, 16-20 and 25-37 are pending in this application and stand rejected. Claims 10, 12, 16-20 and 25-37 have been cancelled without prejudice or disclaimer and new claims 38-57 have been added. Support for the new claims can be found throughout the specification and in the claims as originally filed. For example, support for new claims 38, 39, 41- 44 can be found on page 2, lines 13-26, page 3, lines 1-9, page 5, lines 7-26 and page 6, lines 1-5; support for new claims 45-54 can be found on page 2, lines 13-26, page 3, lines 1-9, , page 5, lines 7-26 and page 6, lines 1-12; and support for the new claims 40 and 55-57 can be found on page 3, lines 21-25 and page 5, lines 10-14. Thus, no new matter has been added by these amendments. Reconsideration and allowance of the claims is respectfully requested in view of the foregoing amendments and the following remarks.

REJECTION UNDER 35 U.S.C. § 103(a)

Claims 18-20 are rejected under 35 U.S.C. 103 as allegedly being obvious in view of Birnie et al (Antimicrobial Evaluation of N-Alkyl Betaines and N-Alkyl-N,N-dimethylamine Oxides with Variations in Chain Length, Sept. 2000, Antimicrobial Agents and Chemotherapy, Vol. 44, No. 9, pp. 2214-2517. In order to facilitate prosecution, and while not acquiescing to the Examiner's rejection, Applicant has cancelled claims 18-20 without prejudice or disclaimer. New claims 38 -57 have been added. New independent claim 42 recites that the biologic source material contains a biomolecule of interest which is not denatured by said method. Birnie et al neither teaches nor suggest a method of inactivating viral contaminants in a biologic sample containing a biomolecule of interest without denaturing the biomolecule. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 10, 12, 16-20 and 25-37 are rejected under 35 U.S.C. 103(a), as allegedly being obvious over Fonsny et al (US 5,911,915) in view of Rasmussen et al (US 2002/0022649 A1). In order to facilitate prosecution, and while not acquiescing to the Examiner's rejection, Applicant has cancelled claims 10, 12, 16-20 and 25-37 without prejudice or disclaimer. New independent claim 38, 42, 45 and 50 recite that the biologic source material contains a biomolecule of interest which is not denatured by said method. Neither Fonsny et al nor Rasmussen et al teach or suggest a method for using specific alkyl amines or amine oxides either alone, or in combination with other agents, for inactivating viral agents in a biological source material containing a biomolecule of interest without

denaturing said biomolecule of interest. Accordingly, Fonsny et al either alone or in combination with Rassmussen does not render the claimed invention obvious. Withdrawal of this ground of rejection is respectfully requested.


Claims 18-20 and 25-29 are rejected under 35 USC 103(a), as allegedly being obvious over Michaels (US 5,389,676). In order to facilitate prosecution, and while not acquiescing to the Examiner's rejection, Applicant has cancelled claims 18-20 and 25-29 without prejudice or disclaimer. New independent claim 38, 42, 45 and 50 recite that the biologic source material contains a biomolecule of interest which is not denatured by said method. Michaels et al relates to antinfecitive water in oil and oil in water emulsions that can be used in cleansers, lotions, ointments, crèmes, jellies and gels that exhibit antiinfecitive activity (see abstract and column 3, lines 9-12). Michaels et al does not teach or suggest a method for using specific alkyl amines or amine oxides either alone, or in combination with other agents, for inactivating viral contaminants in a biological source material containing a biomolecule of interest with denaturing the biomolecule of interest. Accordingly, withdrawal of this ground of rejection is respectfully requested

CONCLUSION

It is believed that claims are now in condition for allowance, early notice of which would be appreciated. If any outstanding issues remain, the examiner is invited to telephone the undersigned at the telephone number indicated below to discuss the same. In the event the United States Patent and Trademark Office determines that an additional extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with this filing to Deposit Account No.: 50-4205 ; Reference Number: 2001.689USD1.

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Merck & Co., Inc.
2000 Galloping Hill Road
K-6-1-1990
Kenilworth, New Jersey 07033-0530
Tel: (908) 298-7486
Fax: (908) 298-5388

Respectfully submitted,


Carol M. Gruppi
Attorney for Applicants
Reg. No. 37,341